UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YONY SOSA, *on behalf of himself and all other similarly situated*,
 	
                                          Plaintiff,
 	
                    -v-
 	
RECREATIONAL EQUIPMENT, INC.,
 	
                                          Defendant.
	19 Civ. 10746 (PAE) (SN)
	
	ORDER

PAUL A. ENGELMAYER, District Judge:

On February 20, 2020, defendant Recreational Equipment, Inc. ("REI"), moved to

dismiss plaintiff Yony Sosa's initial complaint in this case. Dkt. 14. On February 21, 2020, the

Court referred the motion to the Honorable Sarah Netburn, Magistrate Judge, for a report and

recommendation. Dkt. 16. On February 28, 2020, Sosa filed an amended complaint. Dkt. 17.

On March 2, 2020, Judge Netburn denied REI's first motion to dismiss as moot, in light of the

amended complaint. Dkt. 20. On April 2, 2020, REI moved to dismiss Sosa's amended

complaint. Dkt. 21.

The amended complaint alleges violations of the Americans with Disabilities Act for the

failure of REI to accommodate legally blind individuals in the purveyance of gift cards. Similar

motions to dismiss raising the same arguments are currently pending on appeal before the

Second Circuit in *Dominguez v. Banana Republic, LLC*, No. 20-1559, and five related cases.

These cases are on the Second Circuit's expedited appellate calendar. *See, e.g.*, No. 20-1559,

Dkt. 26.

The *Banana Republic* decision will almost certainly occasion significant re-briefing of

REI's pending motion, if not the resolution of this litigation. Accordingly, the Court

administratively terminates REI's motion to dismiss, without prejudice to its ability to refile its motion subsequent to the Circuit's decision in *Banana Republic* or its related cases.[1] The Court further stays all proceedings in this case pending a decision in *Banana Republic* or the related cases.

The Clerk of Court is respectfully directed to terminate the motion pending at docket 21.

SO ORDERED.

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PAUL A. ENGELMAYER
United States District Judge

Dated: June 24, 2020
        New York, New York

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[1] For the avoidance of doubt, this Order does not impact any other dates and deadlines in this case.